REMARKS

Claims 1-29 are all the claims pending in the application. Claims 1 and 3-5 stand rejected. Claims 2 and 6-29 are allowed. Applicants have amended claim 1 in a manner that is believed to overcome the prior art. Thus, all of the claims now should be patentable. Applicants appeal is rendered moot in view of the filing of the present Amendment under 37 CFR 1.114(c) and the accompanying RCE.

Claim Rejections - 35 U.S.C. § 103

Claims 1 and 3-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ouderkirk et al (5,828,488) in view of Sanelle et al (6,181,394). This rejection is traversed for at least the following reasons.

The Invention

The present invention, as now recited in claim 1, relates to an optical path changing polarizer (1) with an absorption-type polarizer (P), comprising layers (12-14) and having on one side thereof an adhesive layer (15) and on the other side a repetitive prismatic structure (11A). The support for the added limitation appears at page 11, line 22 to page 12, line 4. In addition to the two distinctive features in the claims (the adhesive layer refractive index and prismatic structure) as asserted in the previous amendment and on appeal, the use of an absorption-type polarizer is a clear basis for distinction over the prior art..

Ouderkirk et al

While the Examiner relies upon Ouderkirk et al for a teaching in Fig. 13 of an optical path changing polarizer that includes a polarizer layer 116 and a repetitive prismatic structure 113, the Examiner cannot find the use of an absorption type polarizer in the reference. Ouderkrik merely discloses a reflective polarizer. This represents a significant difference since the use of an absorption type polarizer permits light to reach the prismatic structure. Use of a reflective polarizer would prevent light incident on the polarizer through the cell substrate from reaching the repetitive prismatic structure, preventing the advantageous results of the present invention..

Moreover, the Examiner admits that Ouderkirk does not teach an adhesive layer disposed on the other side of the polarizer, particularly an adhesive layer having the claimed refractive index. The Examiner must look to Sanelle et al for such teaching.

Sanelle et al

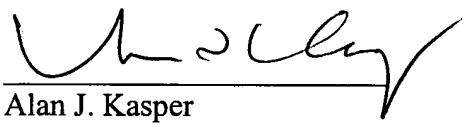
The Examiner relies upon Sanelle et al for a teaching of the use of an adhesive layer in a sandwiched structure 11 for an active matrix liquid crystal display panel. The Examiner points to a front polarizer 31 in Sanelle et al and notes that this structure has on one side thereof an index matched adhesive 37. The Applicants have already demonstrated why this reliance fails for two reasons.

In addition, however, the use of an absorbent-type polarizer in the claimed invention provides yet another distinction that is not remedied by Sanelle et al. For all of the reasons given above, one skilled in the art would not use an absorbent type polarizer in the refletive polarizer-based structure seen in Ouderkirk et al, even if modified by a combination with Sanelle et al. Such combination would not be operative, as noted previously. Thus, one skilled in the art would not look to replace the reflective polarizer in Ouderkirk with the polarizer of Sanelle.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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